



Florida Department of Agriculture & Consumer Services
CHARLES H. BRONSON, Commissioner

COUNTRY OF ORIGIN LABELING

Florida initiated a Country of Origin Labeling program after enactment of Florida Statutes 504, the Produce Labeling Act of 1979. The Produce Labeling Act requires disclosure of the Country of Origin of any produce in the Florida retail market place to the ultimate consumer. The Florida Department of Agriculture and Consumer Services verifies compliance with the law as a part of the routine inspection of all retail food stores in the state. The Country of Origin Labeling law in Florida has proven to be a cost effective, basic law providing beneficial information to all consumers.

Most consumer products from automobiles to clothes and shoes require a country of origin declaration under United States Law. The United States Code also requires this for fruits and vegetables, but many years ago fruits and vegetables were exempted by regulation because, at the time it was felt that technology was not available to label such products to the ultimate consumer. Today everything from apples to oranges to even small kiwi are in the market place with individual stickers having varieties, product look-up numbers and even movie advertisements.

Enforcement activity at the retail stores includes verification of origin of shipping containers in the storage and unpacking areas with the actual signs or labels of origin in the retail display areas. The inspector utilizes approximately 15 minutes per supermarket and grocery store inspection to review displays and document discrepancies. Inspection costs are currently estimated at \$90,000 - \$108,400 per year since additional enforcement actions and emphasis has been placed on this consumer issue. The Department routinely inspects over 40,000 retail, processing and food establishments annually, with approximately 15,000 to 20,000 having imported produce sales.

The Country of Origin Labeling program is economical and is not costly if conducted by the same inspectional authority that is usually in food stores. There is no need to create additional bureaucracy or many additional positions if the routine inspectional authority is used.

The food industry has estimated for many past years a cost of approximately \$5 to \$10 per store per week to maintain Country of Origin display signs. The estimated industry compliance costs statewide up until 1998 were estimated to be approximately \$195,000 annually. In 1998, representatives of the food retail industry indicated that they wanted to revise this cost to 2 hours per store per week with an average salary of \$15 per hour. The total per food store would therefore be \$30/store/week. For this cost, industry can provide basic information regarding the source of produce sold in their establishments to over 16.7 million Florida residents and over 47 million annual visitors. The cost of country of origin labeling remains a minimal cost in our opinion when compared to the consumer information provided.

The industry maintains compliance through a variety of means. Hand lettered signs are placed in retail bins, random weight slugs with the country listed are used on wrapped items, and some stores have printed permanent signage. Other stores use signs in which lettered product item and origin information can easily be slipped into slots on the edge of display bins. The Department allows a wide variety of methods to comply with the law. The chief concern is properly conveying the information to the consumer.

The Department has consistently conducted numerous inspections in this area. In testimony before Congress in 1987, we reported 47,047 inspections relating to Country of Origin labeling from 1985-1987 with 1,425 stop sale orders placing a hold on product until corrective labeling could be put in place. Violations totaled 506 or 9.7/week in 1995. Over the past three years, the number of violations has averaged approximately 963 annually. Average fine per incident has decreased, indicating improved overall compliance.

The Florida retail food industry has been most cooperative in their compliance with the Country of Origin labeling requirement. The Department for many years has supported expansion of this labeling requirement to all states nationwide. When then Congressman Panetta sponsored similar legislation in 1987, we testified in support and gave information about how simple and economical the program is to implement.

Commissioner Crawford strongly supported this type of legislation or administrative requirement with the U.S. Department of Agriculture in 1991 and 1992. USDA at that time opposed extension of such a requirement. USDA felt that the requirement would be too costly, would impede international trade and would have no effect on public health protection.

Today, Commissioner Bronson strongly supports a national Country of Origin Labeling program. It is economical and is not costly if conducted by the same inspectional authority that is usually in retail stores. There is no need to create additional bureaucracy or many additional positions if the routine inspectional authority of the state programs is cooperatively used.

The Country of Origin Labeling requirement will not and does not impede international trade. The requirement has been in effect in Florida since 1979, the requirement is also current in Canada, the European Union, China, Mexico and Japan.

The Country of Origin Labeling requirement does have an effect on public health protection. Florida was the only state in the nation requiring country of origin declaration in 1995 and in 1996 when we experienced over 500 cases of Cyclospora infection each year from what has now been narrowed epidemiologically to consumption of Guatemalan raspberries.

Consumers can readily determine whether they wish to purchase a particular fruit or vegetable from a specific country because they have the "right to know" this information in our state. Consumers may wish to either seek out or avoid produce from a certain country based on their knowledge of published reports of sanitation in that country, reports of violative pesticide residues, or specific reports of disease associated with a particular commodity.